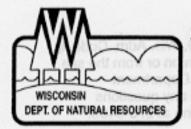
GIS REGISTRY INFORMATION

SITE NAME:	Hardee's Restaurant			
BRRTS#:	03-13-119810	FID # (if appro	priate):	
COMMERCE # (if appropriate):				
CLOSURE DATE:	10-Apr-03			
STREET ADDRESS:	745 East Main Street			
CITY:	Sun Prairie			
SOURCE PROPERTY GPS COO WTM91 projection):	RDINATES (meters in	X=	Y=	
CONTAMINATED MEDIA:	Groundwater	X So	il	Both
OFF-SOURCE GW CONTAMINA	TION >ES:	Yes	X No	
IF YES, STREET ADDRESS 1:				
GPS COORDINATES (meters in	WTM91 projection):	X=	Y=	
OFF-SOURCE SOIL CONTAMIN Specific RCL (SSRCL):	ATION >Generic or Site	Yes	X No	
IF YES, STREET ADDRESS 1:			·	ALTONOMIC PROPERTY.
GPS COORDINATES (meters in	WTM91 projection):	X=	Y=	
CONTAMINATION IN RIGHT OF	WAY:	Yes	X No	
DOCUMENTS NEEDED:				_
Closure Letter, and any conditiona	I closure letter issued			X
Copy of most recent deed, including	g legal description, for all	affected properties		X
Certified survey map or relevant po	ortion of the recorded plat	map (if referenced in the le	egal description) for all aff	ected properties
County Parcel ID number, if used f	or county, for all affected p	properties		~
Location Map which outlines all proper parcels to be located easily (8.5x14" if par potable wells within 1200" of the site.	ties within contaminated site boo per copy). If groundwater stands	ards are exceeded, the map	must also include the location	of all municipal and
Detailed Site Map(s) for all affected and potable wells. (8.5x14", if paper copy relation to the source property and in rela- ch. NR 720 generic or SSRCLs.	 This man shall also show the. 	location of all contaminated:	public streets, highway and re	ontamination exceeding X
Tables of Latest Groundwater Ana				x
Tables of Latest Soil Analytical Re	sults (no shading or cross	-hatching)		At how flow direction and
Isoconcentration map(s), if require extent of groundwater contamination defi	nd for site investigation (SI) ned. If not available, include the	(8.5x14" if paper copy). The latest extent of contamin	ant plume map.	X X
GW: Table of water level elevation GW: Latest groundwater flow dire greater than 20 degrees)	s with sampling dates, an	d free product noted if a	present	
SOIL: Latest horizontal extent of	contamination exceeding	generic or SSRCLs, with	one contour	
Geologic cross-sections, if require	ed for SI. (8.5x14' if paper of	(Vqoo		X
RP certified statement that legal d	escriptions are complete a	nd accurate		
Copies of off-source notification le			10011	
Letter informing ROW owner of re				x
Copy of (soil or land use) deed re-	striction(s) or deed notice /	If any required as a cond	dition of closure	L



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Jim Doyle, Governor Scott Hassett, Secretary Ruthe E. Badger, Regional Director South Central Region Headquarters 3911 Fish Hatchery Road Fitchburg, Wisconsin 53711-5397 Telephone 608-275-3266 FAX 608-275-3338 TTY 608-275-3231

April 10, 2003

File Ref.: 03-13-119810

Mr Fred Oreel Flying Dutchman Enterprises 1317 Burning Wood Way Madison, WI 53704

SUBJECT:

Final Case Closure By Closure Committee With Conditions Met Hardee's Restaurant, 745 East Main Street, Sun Prairie, WI

WDNR BRRTS # 03-13-119810

Dear Mr. Oreel:

On October 5, 1999, your site as described above was reviewed for closure by the South Central Region Closure Committee. This committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. On November 11, 1999, you were notified that the Closure Committee had granted conditional closure to this case.

On January 3, 2000 and on August 17, 2002, the Department received correspondence indicating that you have complied with the conditions of closure. The documents received indicate that all groundwater quality monitoring wells at the site have been properly abandoned and that a groundwater use restriction for the property has been recorded with the Dane County Register of Deeds. Based on the correspondence and data provided, it appears that your case has been remediated to Department standards in accordance with s. NR 726.05, Wis. Adm. Code. The Department considers this case closed and no further investigation, remediation or other action is required at this time

Your site will be listed on the DNR Remediation and Redevelopment GIS Registry of Closed Remediation Sites. Information that was submitted with your closure request application will be included on the registry. To review the sites on the GIS Registry web page, visit http://gomapout.dnr.state.wi.us/org/at/et/geo/gwur/index.htm

If this is a PECFA site, section 101.143, Wis. Stats., requires that PECFA claimants seeking reimbursement of interest costs, for sites with petroleum contamination, submit a final reimbursement claim within 120 days after they receive a closure letter on their site. For claims not received by the PECFA Program within 120 days of the date of this letter, interest costs after 60 days of the date of this letter will not be eligible for PECFA reimbursement.



Please be aware that this case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if additional information regarding site conditions indicates that contamination on or from the site poses a threat to public health, safety or welfare, or the environment. The Department appreciates your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at the above address or by telephone at 275-3465.

Sincerely.

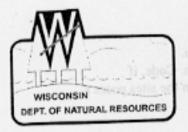
Lawrence Lester

Vacorena /

Hydrogeologist

Bureau for Remediation & Redevelopment

cc: Schultheis, K. Singh & Associates, Inc.



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor George E. Meyer, Secretary Ruthe E. Badger, Regional Director South Central Region Headquarters 3911 Fish Hatchery Road Fitchburg, Wisconsin 53711-5397 Telephone 608-275-3266 FAX 608-275-3338 TDD 608-275-3231

November 11, 1999

File Ref: Dane County 03-13-119810

Mr Fred Oreel Flying Dutchman Enterprises 1317 Burning Wood Way Madison, WI 53704

Subject: Conditional Site Closure: Hardees Restaurant, 745 West Main Street, Sun Prairie

Dear Mr. Oreel:

On October 5, 1999, your request for closure of the site named above was reviewed by the South Central Region Closure Committee. This committee reviews environmental remediation cases for compliance with state laws and standards to maintain consistency in the closure of these cases. The contamination on the site property appears to have been remediated to the extent practicable under site conditions. Your case will be granted closure under s. NR 726.05, Wis. Adm. Code, when the following conditions have been met.

MONITORING WELL ABANDONMENT The monitoring wells at the site must be properly abandoned in compliance with ch. NR 141, Wis. Adm. Code. Documentation of well abandonment must be submitted to us on forms provided by the Department.

GROUNDWATER USE RESTRICTION The closure committee has required that a groundwater use restriction be prepared and recorded at the county register of deeds office to address the issue of remaining groundwater contamination associated with the site. The purpose of this document is to restrict the use of groundwater that may be contaminated in the vicinity of the site. A sample of a groundwater use restriction is attached.

To assist us in the preparation of the groundwater use restriction document, you must submit a copy of the property deed to me within 30 days of the date of this letter. This information will be used to prepare a draft groundwater use restriction that will be sent to you for review. If you approve of its content, you will sign it, have it recorded by the Dane County Register of Deeds, and submit a copy with the proof of filing to the Department.

The groundwater use restriction is an option that the Department can offer to you in order to close this site. If you choose not to accept this option, you may perform additional investigation and cleanup of the remaining contamination. Note that this additional work may not be eligible for reimbursement through the Petroleum Environmental Cleanup Fund Award (PECFA) Program. You should contact the Department of Commerce to determine eligibility of the additional work for reimbursement.



State of Wisconsin / DEPARTMENT OF NATURAL RESOURCES

Scholle

nen the above conditions have been met, a final case closure letter will be sent to you.

Please be aware that the site case may be reopened pursuant to s. NR 726.09, Wis. Adm. Code, if
additional information regarding site conditions indicates that contamination on or from the sites poses a
threat to public health, safety, or welfare or to the environment.

We appreciate your efforts to restore the environment at this site. If you have any questions regarding this letter, please contact me at the address listed above or as indicated below.

Madiena, WI 53704 .

Sincerely,

Michael Schmoller

Hydrogeologist

608-275-3303

6

P 430

DANE COUNTY REGISTER OF DEEDS

Doc No 2807107

1996-10-25 Trans. Fee Rec. Fee 02:35 PM 1,614.00 14.00

This instrument was drafted by: Paul M. Lambert, Esq. 17207 North Perimeter Drive Scottsdale, Arizona 85255

When recorded return to:

Dennis L. Monroe, Esq.

Krass Monroe Schmidt Moxness & Gibson, P.A.

Suite 1100 Southpoint Office Center

1650 West 82nd Street

Bloomington, Minnesota 55431-1447

Fig. # 55-0811-053-4701-2

SPECIAL WARRANTY DEED

This Special Warranty Deed is made as of the day of Cother . 1996, by FRANCHISE FINANCE CORPORATION OF AMERICA, a Delaware corporation (successor by merger to Insured Income Properties 1982 (a Delaware Limited Partnership)) ("Grantor"), to FLYING DUTCHMAN ENTERPRIZES, INC., a Wyoming corporation ("Grantee").

For the consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor grants and conveys to Grantee the real property located in Sun Prairie, Dane County, Wisconsin, more particularly described on Exhibit A attached hereto and made a part hereof (the "Property"), together with all tenements, hereditaments, appurtenances and improvements, thereto; subject to all taxes, assessments, liens, encumbrances, easements, rights of way, and restrictions as may appear of record and all matters which a physical inspection or accurate survey of the Property would disclose.

Grantor hereby binds itself to warrant and defend title to the Property as against all acts of Grantor and none other, subject to the matters above set forth. No other covenants or warrantles, express or implied, are given by this Special Warranty Deed.

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed as of the date set forth above.

FRANCHISE FINANCE CORPORATION OF AMERICA, a Delaware Corporation (successor by merger to Insured Income Properties 1982 (a Delaware Limited

Partnership))/

Harold W. Vinson

Vice President

[SEAL]

17207 North Perimeter Drive

Ø 003

EXHIBIT A

PARCEL A

Part of Outlot One (1), Assessor's Plat of the Village of Sun Prairie, in the City of Sun Prairie, being the West 120 feet thereof, measured along the South line of Main Street and the North 125 feet thereof, measured along the East side of Bird Street, South of the intersection with Main Street.

PARCEL B

Part of Outlot One (1), Assessor's Plat of the Village of Sun Prairie, in the City of Sun Prairie, more fully described as follows: Commencing at the intersection of the South line of Main Street and the East line of Bird Street, said point being 33 feet East of the West line of Section 5, Township 8 North, Range 11 East; thence North 68°05' East, 120.00 feet along the Southerly right of way of Main Street to the point of beginning of this description; thence South 125.00 feet parallel to Bird Street; thence South 68°05' West, 120.00 feet; thence South 19.61 feet along the Easterly right of way of Bird Street, said line being 33 feet East of the West line of said Section 5; thence North 89°30' East, 111.33 feet; thence South 1.60 feet; thence North 72°11'48" East, 191.41 feet; thence North 21°55' West, 190.00 feet; thence South 68°05' West, 120.00 feet to the point of beginning of this description.

Grantor hereby binds itself to warrent and defend title to the Property as against all

TAX PARCEL ID NO. 55-0811-053-4701-2

FRANCHISE FINANCE CORPORATION

P 431

STATE OF ARIZONA) ss.
COUNTY OF MARICOPA)

This instrument was acknowledged before me this \(\lambda \times \) day of \(\subseteq \lambda \varepsilon \rangle \times \varepsilon \).

1996, by Harold W. Vinson, Vice President of Franchise Finance Corporation of America, a Delaware corporation (successor by merger to Insured Income Properties 1982 (a Delaware Limited Partnership)), on behalf of the corporation.

Notary Public

My commission expires:



Grantee's Mailing Address:

Flying Dutchman Enterprizes, Inc. 2401 American Lane Suite 210 Madison, Wisconsin 53704

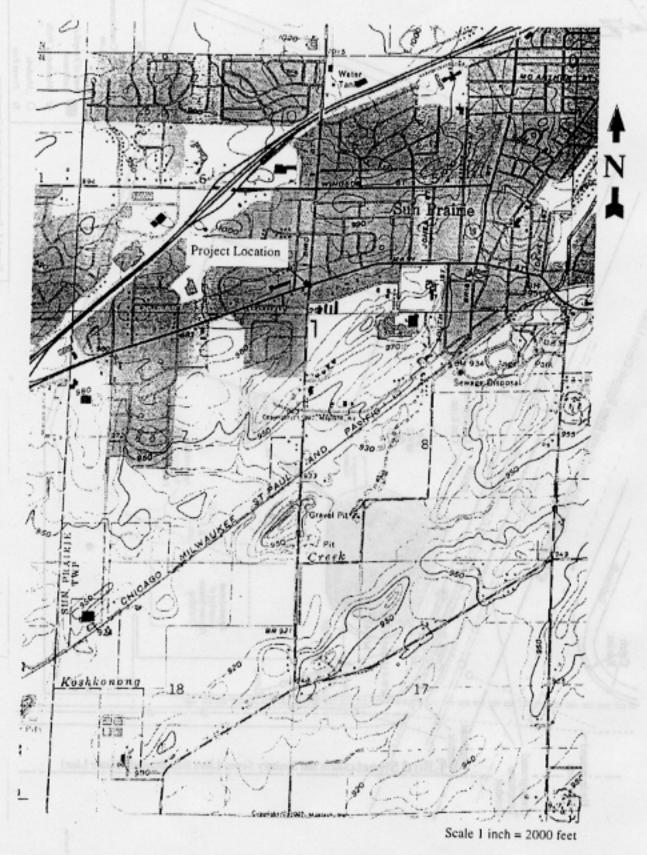


Figure 2.1: Project Location Map

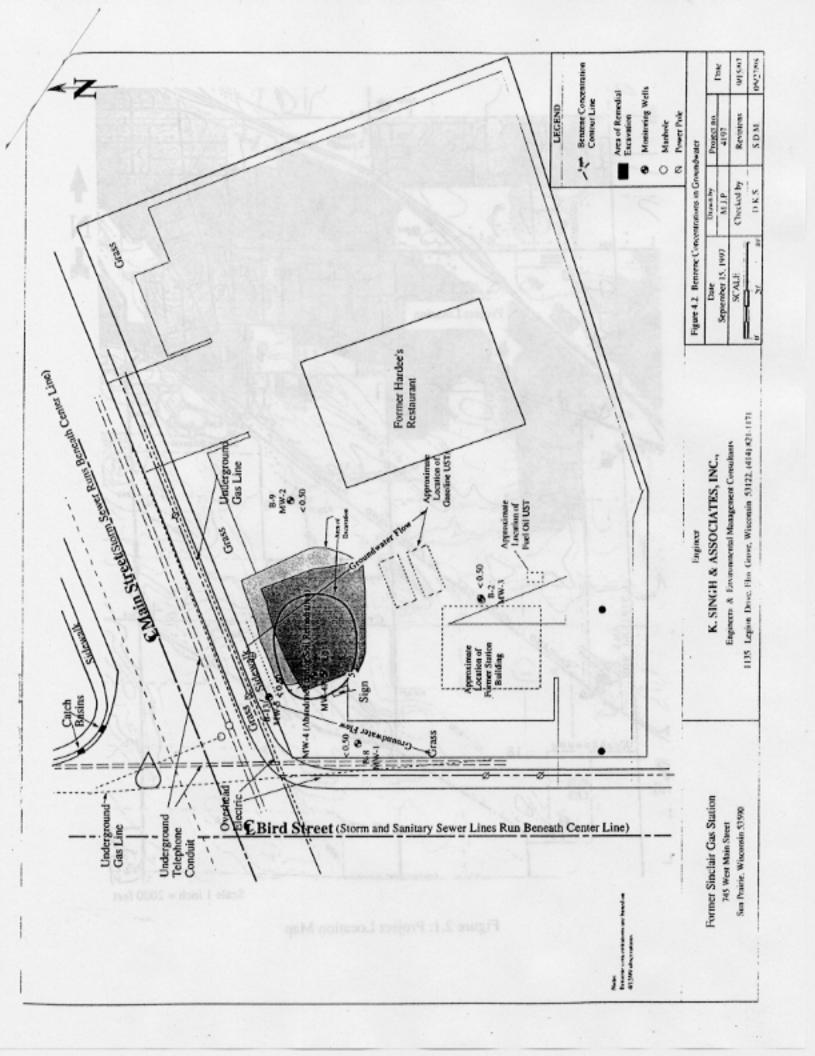


Table 4.3 Summary of Groundwater Elevation Data

Monitoring	PVC	Depth to	Groundwater	Г	Groundwater
Well	Elev.	Water	Elevation		Elevation
Designation	3104	7/29/97	7/29/97		26/8/6
MW-1	967.72	6.07	958.65		958.07
MW-2	967.25	8.11	959.14		958.35
MW-3	81.996	8.00	958.18	8.79	957.39
MW-4	967.58	8.37	959.21		958.44
MW-5				8.74	N. 8

Note: All elevations are given in feet, MSL.

*= Monitoring well was not installed on the date measurements were taken.

NT= Measurement not taken

Table 4.1

Summary of Groundwater Elevation Data

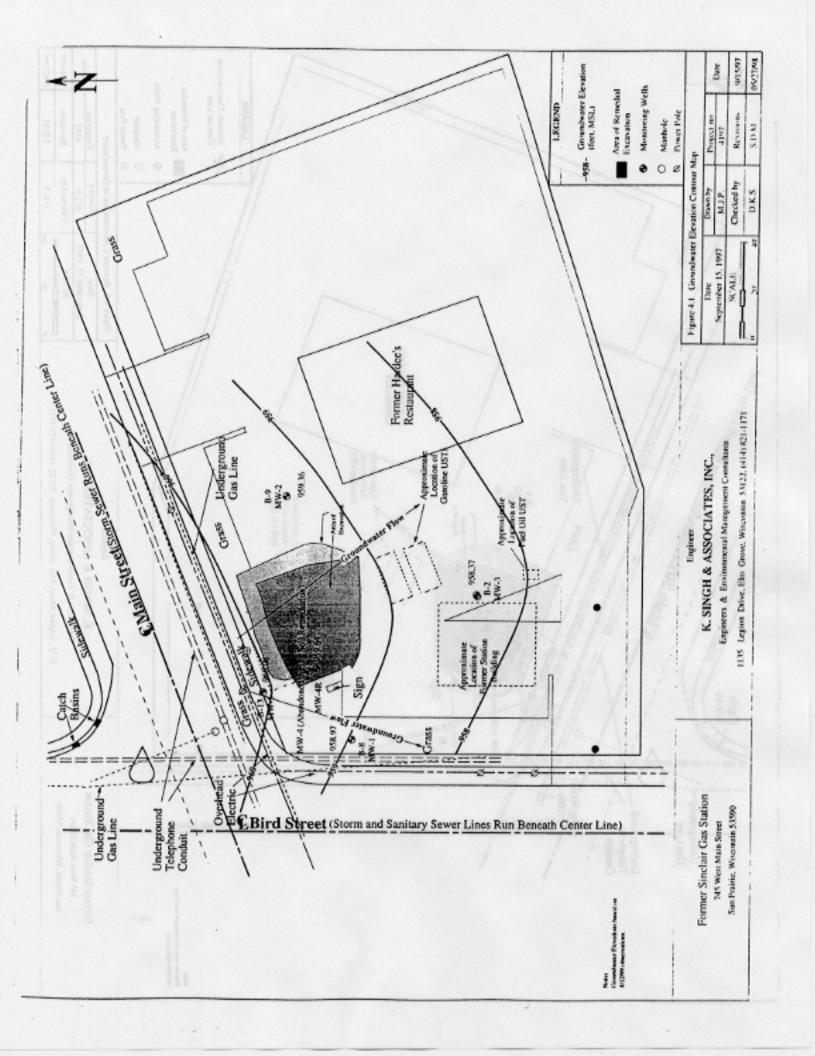
	1	Hardee's Restaur	rant, 745 W. Maii	Hardee's Restaurant, 745 W. Main Street, Sun Priarie, WI	ie, WI	
Well Id.		MW-1	MW-2	MW-3	MW-4	S-WM
PVC Elev		967.72	967.25	81.996	967.58	967.58
Date						
7/29/97	DTW	6.07	8.11	8.00	8.37	*
L	GWE	958.65	959.14	958.18	959.21	*
16/8/6	DTW	9.65	8.90	8.79	9.14	8.74
	GWE	958.07	958.35	957.39	958.44	958.84
9/28/98	DTW	9.48	8.49	8.39	*	8.45
	GWE	958.24	958.76	957.79	MW-4R	959.13
12/22/98	DTW	9.84	9.21	9.02	9.37	8.92
	GWE	957.88	958.04	957.16	958.21	958.66
4/12/99	DTW	8.75	7.89	7.81	7.94	7.50
	GWE	958.97	959.36	958.37	959.64	960.08

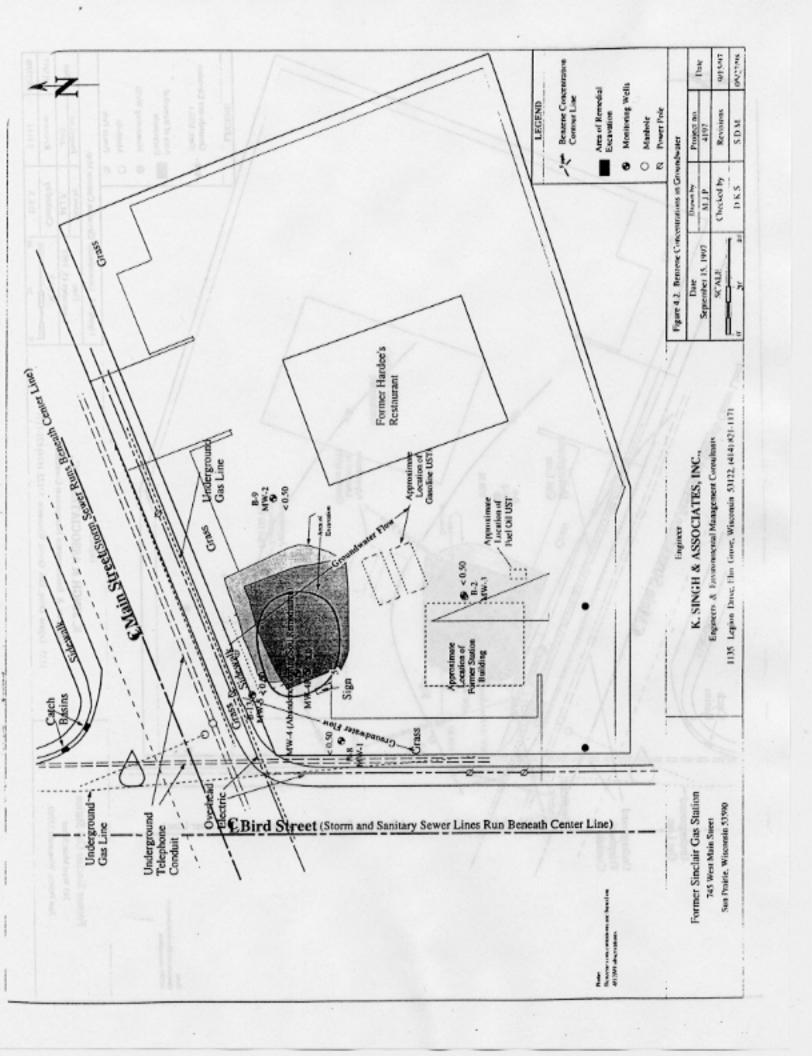
*= Monitoring well was either not installed or abandoned

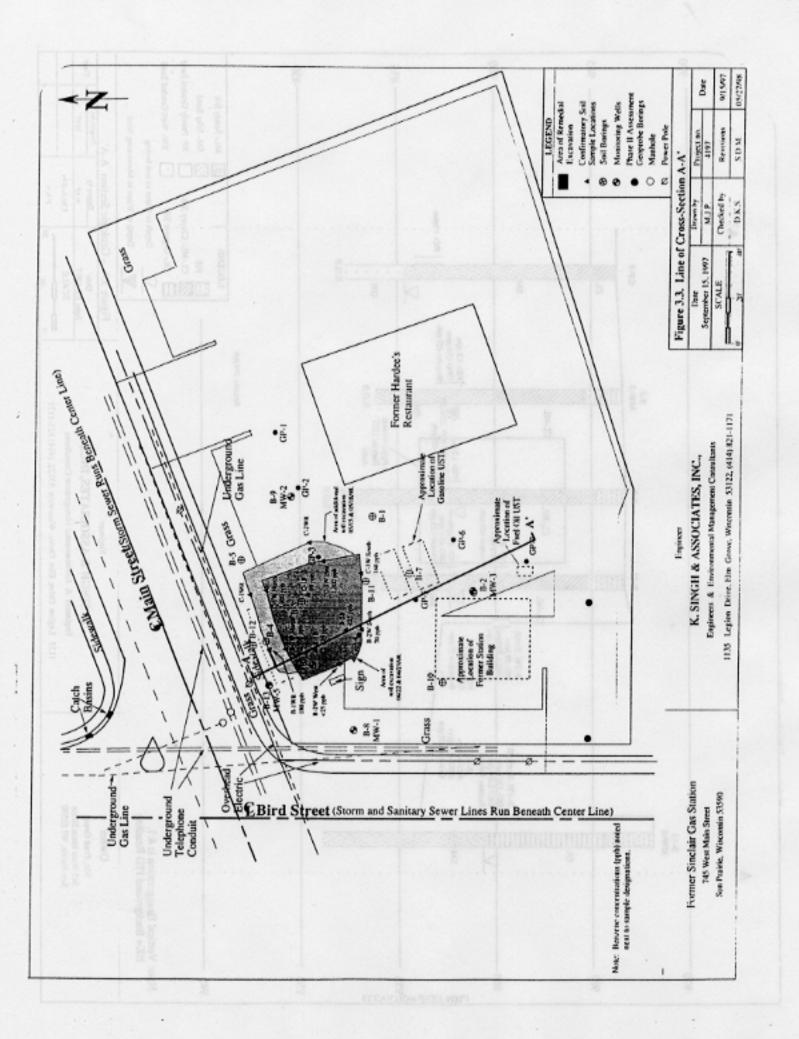
Table 4.2 Summary of Groundwater Quality Test Results Hardee's Restaurant, 745 W. Main Street, Sun Priarie, WI

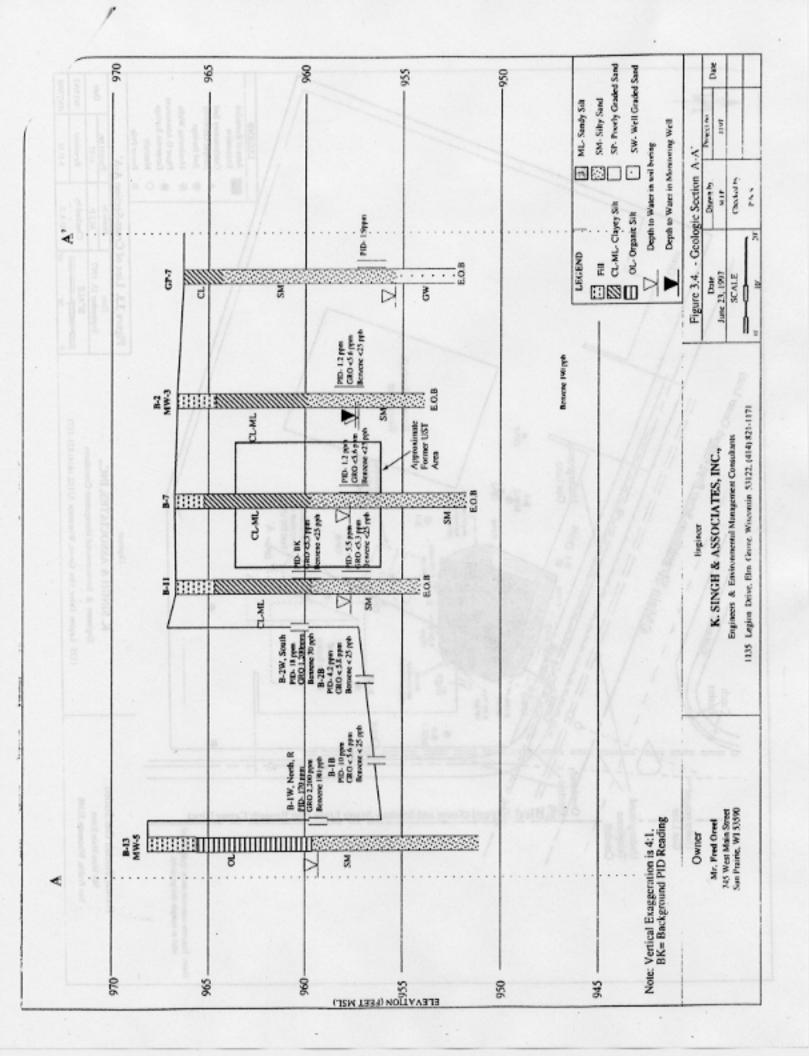
Ha	rdee's Re	staurant,	745 W. N	1ain Stre	et, Sun Pr	farie, w		
	Benzene	Ethylbenzene	Toluene	Total Xylenes	MTBE	Naphthalene	GRO	Dissolved Lead
Date	ppb	ppb	ppb	ppb	ppb	ppb	ppm	ppb
	PP							
7/29/97	<0.5	< 0.5	< 0.5	< 0.5	< 0.20	<8.0		<5.0
		< 0.5	< 0.5	< 0.5	< 0.2	NT	<0.05	NT
		< 0.5	< 0.5	< 0.5	<0.2	NT	<0.05	NT
		< 0.50	< 0.50	< 0.50	< 0.20	NT	< 0.05	NT
7/29/97	0.62	<0.5	<0.5	1.1	< 0.20	<8.0	<0.050	<5.0
		<0.5	<0.5	< 0.5	< 0.2	NT	< 0.05	NT
			< 0.5	1.1	< 0.2	NT	< 0.05	NT
			< 0.50	< 0.50	< 0.20	NT	< 0.05	NT
4/12///								
7/29/97	4.2	2.0	2.0	2.9	< 0.20	<8.0	< 0.050	<5.0
			<0.5	< 0.5	<0.2	NT	< 0.05	NT
			<0.5	< 0.5	< 0.2	NT	< 0.05	NT
			< 0.50	0.57	< 0.20	NT	< 0.05	NT
4112177	4 0.00							
7/29/97	480	1.300	1,500	4,300	<4.0	330	13	<5.0
			15	440	2.1	NT	2.9	NT
				54	< 0.20	NT	0.48	NT
4112177	0.0							
0/8/07	9.6	97	<2.5	200	<1.0	87	4.1	<1.5
				71	<10	NT	3	NT
			-	17	1.1	NT	1.4	NT
			-	14	0.54	NT	0.55	NT
4/12/99	1 0.50	0.7	10.00					
		T ====	1 242	620	60	40	T	15
	5	700	343	020	1 00	40		
	7/29/97 9/28/98 12/22/98 4/12/99 7/29/97 9/28/98 12/22/98 4/12/99 7/29/97 12/22/98 4/12/99 7/29/97 12/22/98 4/12/99 9/8/97 9/28/98 12/22/98 4/12/99	Date ppb 7/29/97 <0.5 9/28/98 <0.5 12/22/98 0.72 4/12/99 <0.50 7/29/97 0.62 9/28/98 <0.5 12/22/98 <0.5 12/22/98 <0.5 4/12/99 <0.50 7/29/97 4.2 9/28/98 <0.5 12/22/98 <0.5 12/22/98 <0.5 12/22/98 <0.5 12/22/98 <0.5 4/12/99 <0.50 7/29/97 480 12/22/98 30 4/12/99 8.0 9/8/97 9.6 9/28/98 <25 12/22/98 4.9	Date Ppb Ppb Ppb Ppb Ppb Ppb Ppb Ppb Ppb Ppp Ppp	Date Ppb Ppb	Date Ppb Ppb Ppb Ppb Ppb Ppb Ppb Ppb Ppb Ppp Ppp	Date Ppb Ppb	Date	Date ppb ppb

Note: MTBE= Methyl tert-butyl ether









Document Number

GROUNDWATER USE RESTRICTION

DANE COUNTY REGISTER OF DEEDS

DOCUMENT H 3522163

07/31/2002 04:50:47PM

Trans. Fee: Exempt #:

Recording Area

Name and Return Address

COLUMBAS, WI 53925

JOHN STARRITT 805 W. JAMES ST.

Rec. Fee: Pages:

Declaration of Restrictions

In Re: See Attached Property Description, Exhibit A hereby made a part of this restriction

STATE OF WISCONSIN

COUNTY OF DANE

WHEREAS, Flying Dutchman Enterprizes, Inc. is the owner of the above-described property.

55-0811-053-4761-7

WHEREAS, one or more petroleum discharges have Parcel Identification Number (PIN) occurred on this property. Petroleum contaminated groundwater above ch. NR 140, Wis. Adm. Code, enforcement standards existed on this property at the following location on the following date: benzene contaminated groundwater existed on site in April 1999 as shown in attached Figure 4.2.

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct further groundwater or soil remediation activities on the property at the present time.

WHEREAS, natural attenuation has been approved by the Department of Natural Resources to remediate groundwater contamination exceeding ch. NR 140 Wis. Adm. Code groundwater standards within the boundaries of this property.

WHEREAS, construction of wells where the water quality does not comply with drinking water standards in ch. NR 809 Wis. Adm. Code is restricted by chs. NR 811 and NR 812, Wis. Adm. Code. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply.

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater, or it successor agency, to determine what specific

requirements are applicable, prior to constructing or reconstructing a well on this property. No well may be constructed on this property unless applicable requirements are met.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction benefits and is enforceable by the Wisconsin Department of Natural Resources, its successors or assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that one or more of the restrictions set forth in this covenant is no longer required. Upon the receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished. If the Department determines that the restrictions can be extinguished, an affidavit, attached to a copy of the Department's written determination, may be recorded to give notice that this deed restriction, or portions of this deed restriction, are no longer binding.

By signing this document, Fred Oreel asserts that he is duly authorized to sign this document on behalf of Flying Dutchman Enterprizes, Inc.

IN WITNESS WHEREOF, the owner of the property has executed this Declaration of Restrictions, this 16th day of 000, 19,2002

Signature:
Printed Navo

Subscribed and sworn to before me

Choxo Al

Notary Public, State of WK

This document was drafted by the Wisconsin Department of Natural Resources based on information provided by K. Singh and Associates, Inc..

EXHIBIT A

PARCEL A

Part of Outlot One (1), Assessor's Plat of the Village of Sun Prairie, in the City of Sun Prairie, being the West 120 feet thereof, measured along the South line of Main Street and the North 125 feet thereof, measured along the East side of Bird Street, South of the intersection with Main Street.

PARCEL B

Part of Outlot One (1), Assessor's Plat of the Village of Sun Prairie, in the City of Sun Prairie, more fully described as follows: Commencing at the intersection of the South line of Main Street and the East line of Bird Street, said point being 33 feet East of the West line of Section 5, Township 8 North, Range 11 East; thence North 68°05' East, 120.00 feet along the Southerly right of way of Main Street to the point of beginning of this description; thence South 125.00 feet parallel to Bird Street; thence South 68°05' West, 120.00 feet; thence South 19.61 feet along the Easterly right of way of Bird Street, said line being 33 feet East of the West line of said Section 5; thence North 89°30' East, 111.33 feet; thence South 1.60 feet; thence North 72°11'48" East, 191.41 feet; thence North 21°55' West, 190.00 feet; thence South 68°05' West, 120.00 feet to the point of beginning of this description.

TAX PARCEL ID NO. 55-0811-053-4701-2